Government of Kerala
1973

Reg. No. K. 127.

KERALA GAZETTE

SUPPLEMENTS

PUBLISHED BY AUTHORITY

Vol. XVIII] Trivandrum, Tuesday, 1st May 1973 / 11th Vaisakha 1895 (Saka) [No. 18

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Kerala Gazette No. 18 dated 1st May 1973
PART I

GOVERNMENT OF KERALA

Abstract

PENSION—KERALA FREEDOM FIGHTERS PENSION SCHEME—ELIGIBILITY FOR PENSION TO PERSONS WHO REMAINED UNDERGROUND—ORDERED—RULE INCORPORATED

PUBLIC (FREEDOM FIGHTERS PENSION) DEPARTMENT

G. O. (P) 86/73/PD. **Dated, Trivandrum, 27th March 1973.**

Read: 1. G. O. (P) 143/71/PD dated 22-5-1971.
2. G. O. (P) 28/72/PD dated 18-1-1972.

ORDER

In Rule 4 of Annexure I to the G. O. first cited, the term 'freedom fighter' has been defined. Freedom Fighters who remained underground will not come within the ambit of the State Scheme and there is no provision under the rules for payment of pension to such persons.

2. Government have considered the question whether freedom fighters who remained underground in connection with freedom struggle, but did not suffer imprisonment, should not also be brought under the State Scheme. According to the Central Scheme of pension to freedom fighters, persons who remained underground, but did not suffer imprisonment, can be considered for the grant of pension. Government consider that a similar provision should be incorporated in the rules regulating payment of pension under the State Scheme also. It is, therefore, ordered that persons who had remained underground for more than six months before 1947 as a result of participation in the freedom struggle and against whom warrant for arrest had been issued, will also be given pension under the K. F. F. P. Scheme. The following rule shall be incorporated as rule 4 (h) after the existing rule 4 (g) in Appendix I to G. O. (P) 143/71/PD dated 22-5-1971:—

"4 (h) had remained underground for more than six months consequent on warrant for arrest having been issued against him".

3. Under item 1 of Annexure III to the G. O. first cited which has been modified as per the G. O. second cited, the following new clause will be added as (f) :—

"(f) had remained underground for more than six months consequent on warrant for arrest having been issued against him".

By order of the Governor,

C. T. JOSEPH,

Deputy Secretary.

To

All District Collectors
The Accountant General
The Finance Department
The Secretary, Board of Revenue
The Secretary to Government of India, Ministry of Home Affairs, New Delhi.

GOVERNMENT OF KERALA

Agriculture (General) Department

NOTIFICATION

G. O. MS. 114/73/AD. *Dated, Trivandrum, 30th March* 1973.

Under article 80 of the Articles of Association of the Kerala Agro-Industries Corporation Limited, the Governor of Kerala hereby appoint Shri S. Anant krishnan, Agricultural Production Com issioner as a Director of the said Corporation and make the following amendment to the Government of Kerala, Agriculture (General) Department Notification—I in G. O. (MS) No. 158/72/AD dated 19th April, 1972, published in the Kerala Gazette No. 13 dated 2nd May, 1972, namely:—

AMENDMENT

In the said notification, for item 4, the following shall be substituted, namely:—

"4. Shri S. Anantakrishnan, Agricultural Production Commissioner."

By order of the Governor,
K. K. GOPALAKRISHNAN,
Joint Secretary.

G. 614.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. Rt. No. 1349|72|LBR. *Dated, Trivandrum,* 11*th December* 1972.

The Order of the Labour Court, Quilon in respect of the dispute between the Management of (1) Josna Bank Ltd., Cochin-2 and (2) Lord Krishna Bank Ltd., Cranganore and their workmen Shri B. Radhakrishna Rao, 11|57A, Sree Janardhana Devaswom Lane I, Amaravathi Fort Cochin received by Government on 13-10-1972 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. MOHANACHANDRAN,

Deputy Secretary to Government.

IN THE LABOUR COURT, (KERALA STATE) QUILON

Camp: Ernakulam

Dated this the 30th day of August, 1972

Present:

SHRI A. T. KUNHIKORA, B. A., B. L., PRESIDING OFFICER

In

REFERENCE No. 1|69

Between

(1) THE MANAGEMENT

of Josna Bank Ltd., Cochin 2 and

(2) MANAGEMENT

of Lord Krishna Bank Ltd., Cranganore.

And

B. RADHAKRISHNA RAO

11|57A Sree Janardhana Devaswom Lane I, Amaravathi Fort Cochin.

Representations:—

Sarvashree V. Rama Shenoi and R. Raya Shenoi, Advocates, Ernakulam. — For *the Lord Krishna Bank Ltd.,*

Sri P. Sankaran kutty, Advocate, Ernakulam — For *the Employee.*

ORDER

This reference was made by the Government to this Court as per Order No. 26560/H4/69/LSWD, Trivandrum, dated 20-12-1969. The circumstances under which the reference was made is as follows. Sri B. Radhakrishna Rao, 11|57A Sree Janardhana Devaswom Lane I, Amaravathi, Fort Cochin field a claim petition before this Court on 10-10-1966 against the Deputy Chief Officer, Reserve Bank of India, Department of Banking Operations and Development, Trivandrum and (2) the Managing Director, Josna Bank Ltd., Cochin-2 under Section 33 C (2) of the Industrial Disputes Act, 1947 for the determination of certain benefits by way of gratuity and balance of notice pay alleged to be due to the petitioner from the opposite party. The Reserve Bank of India took the objection that in this case Reserve Bank of India is not a necessary party and it was conceded on behalf of the petitioner in that case that no relief is sought against the Reserve Bank of India. That case was tried by my learned predecessor as C. P. No. 24|66(C). An Order was passed determining the benefit due to the applicant from the Managing Director of the Josna Bank Ltd., Cochin at Rs. 1893.50 paise. The Government of Kerala issued a certificate ot the District Collector, Ernakulam in accordance with the decision of the Claim Petition No. 24|66(C) on the file of this Court for the recovery of the abovementioned amount. The District Collector, Ernakulam reported to the Government that the Josna Bank has merged with Lord Krishna Bank, the head office of which is at Cranganore. Under the above circumstance the Government have made the following reference "Whereas in the opinion of the Government a doubt has arisen as to whether the amount directed to be paid in the order of the Labour Court in the Claim Petition mentioned above is to be recovered from the management of the Josna Bank or the Lord Krishna Bank.

Now, therefore, under Section 36-A of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Kerala hereby refer the question of about specified in paragraph three of this order to the Labour Court, Quilon for decision".

2. After this reference was received, notice was issued to the Lord Krishna Bank and Lord Krishna Bank filed the written objections. Sri Radhakrishna Rao died and for impleading his legal representatives, the Advocate for Sri Radhakrishna Rao took some time and finally the legal representatives of the deceased were impleaded.

3. The case of Lord Krishna Bank stated briefly is as follows: There is no scope for making a reference under Section 36-A of the Industrial Disputes Act. No question regarding the interpretation of any of the provisions of the award made in Claim Petition No. 24|66(C) of this Court arises in this case. Further, this Bank or the Josna Bank was not at all a party to the Claim Petition in question. The contention of the Lord Krishna Bank is that the order passed in C. P. 24|66(C) of this Court does

not bind Lord Krishna Bank or Josna Bank as neither of them was a party to the above Claim Petition. The only opposite parties who were impleaded in that Claim Petition were the Deputy Chief Officer of the Reserve Bank of India and the Managing Director, Josna Bank Ltd. At the time when the Claim Petition was filed, and thereafter, Josna Bank had no Managing Director at all. The Josna Bank ceased to function as a banking company with effect from 13th October, 1965. Its Board of Directors were superseded and its Directors ceased to hold office as Directors since 13-10-1965. The Josna Bank was amalgamated with the Lord Krishna Bank. But the applicant in the Claim Petition did not choose to implead the Josna Bank Ltd., or the Lord Krishna Bank in the Claim Petition. This fact was brought to the notice of the Court and the counsel for the applicant Sri T. C. N. Menon by the agent of the Cochin Branch of the Lord Krishna Bank. Under the circumstances, nobody appeared as the second opposite party in the Claim Petition and the petitioner proceeded with the Claim Petition without impleading the necessary parties. As such, according to Lord Krishna Bank, the order in Claim Petition No. 24/66 (C) is not binding on the Lord Krishna Bank or Josna Bank Ltd.

4. One witness was examined on the side of the Lord Krishna Bank and Exhibits D.1 to D.5 were not filed. Exhibit D.1 is the copy of the notification by the Government of India regarding the amalgamation of the Josna Bank with the Lord Krishna Bank. Exhibit D.2 is the copy of the notification by the Government of India fixing the date of amalgamation. Summons issued to the Josna Bank in C. P. 24|66(C) was accepted by the agent of the Lord Krishna Bank and he returned the summons to this Court with a letter that summons was accepted by him due to a mistake and that there is no such person as the Managing Director of the Josna Bank, Cochin 2 as the Josna Bank Ltd., ceased to function with effect from 13-10-1965 and its erst-while Managing Director also ceased to be its officer with effect from that date persuant to the scheme of Amalgamation promulgated by the Government of India. Exhibit D.3 is the copy of this letter. Copy of this letter was also forwarded by him to the Advocate for the petitioner in C. P. 24|66(C). Exhibits D.4 and D.5 are the postal acknowledgements for having received these letters. Under the above circumstances, the case of Lord Krishna Bank is that the order in C. P. 24|66 (C) is not enforcible as against the Josna Bank Ltd., or Lord Krishna Bank Ltd., because necessary parties were not impleaded in that case even though the above facts were brought to the notice of the counsel for the petitioner by registered letter. The Josna Bank was amalgamated with the Lord Krishna Bank with effect from 13-10-1965. The Claim Petition No. 24|66(C) was filed only on 10-10-1966. Therefore it is clear that on 10-10-1966 when this Claim Petition was filed, there was no person as the Managing Director of Josna Bank Ltd., who was impleaded as the second opposite party in the Claim Petition. This fact was brought

to the notice of the learned counsel for the petitioner in C. P. 24|66(C) as per a registered letter by the Agent of the Lord Krishna Bank. Even inspite of that, the petitioner did not choose to implead the necessary party in the claim petition. The 1st opposite party in the claim petition was the Deputy Chief Officer, Reserve Bank of India, Department of Banking Corporation and Development. The petitioner conceded that no relief need be granted against the first opposite party. Therefore the relief was granted only as against the second opposite party namely the Managing Director, Josna Bank Ltd. It is clear that there was no such officer as the Managing Director of the Josna Bank Ltd. As such, the applicant in C. P. 24|66(C) was prosecuting the application without taking care to implead the necessary party or parties as the opposite party. Josna Bank was amalgamated with Lord Krishna Bank. This fact was also intimated to the applicant. Even inspite of that, the applicant did not choose to implead Lord Krishna Bank in the Claim Petition as the opposite party. Under the circumstance, the applicant cannot claim that he is entitled to get the benefit determined in Claim Petition No. 24|66(C) realised from either the Josna Bank or Lord Krishna Bank Ltd. Such a situation has arisen as a result of the applicant in C. P. 24|66 (C) not being vigilent in proceeding with the application. The order in C. P. 24/66(C) is therefore cannot be enforced against either Lord Krishna Bank or Josna Bank Ltd. Under the circumstances stated above, I am to hold that on the basis of the order in C. P. 24|66(C), there is no scope for the realisation of the amount either from the Josna Bank Ltd, or Lord Krishna Bank. In this view, it is not necessary to consider the question whether the Government are competent or not to make this reference under Section 36A of the Industrial Disputes Act, 1947. This reference is answered accordingly.

A copy of this order will be forwarded to Government forthwith.

Dictated to the Stenographer, transcribed by him, corrected and pronounced by me in open Court, this the 30th day of August, 1972.

A. T. KUNHIKORA,
Presiding Officer.

APPENDIX

Witnesses examined on the side of the Employee:

Nil.

Witness examined on the side of the Lord Krishna Bank:

CPW 1. N. R. Gokhole.

Exhibits marked on the side of the Employee:

Nil.

Exhibits marked on the side of the Lord Krishna Bank:

D. 1. Copy of Notification No. (14-BC|6) dated 7th October, 1965 by the Government of India regarding the amalgamation of the Josna Bank with the Lord Krishna Bank.

D. 2. True copy of order of the notification by the Government of India fixing the date of amalgamation.

D. 3. Regd. letter No. CO|J|17 dated 24th December, 1966 from the Lord Krishna Bank.

D. 4. Postal acknowledgement dated 27-12-1966.

D. 5. Postal acknowledgement dated 27-12-1966.

Kerala Gazette No. 18 dated 1st May 1973.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. Rt. No. 387/73/LBR. *Dated, Trivandrum 30th March* 1973.

The award of the Labour Court, Quilon in respect of the dispute between the Management of the Kerala Electrical and Allied Engineering Co. Ltd. Kundara and their workmen represented by Shri M. Rajagopalan Nair Advocate, Quilon received by Government on 8-2-1973 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. P. MATHULLA,
Under Secretary.

In the Labour Court (Kerala State) Quilon

Dated this, the 27th day of January, 1973.

Present

Shri A. T. KUNHIKORA B. A., B. L.

Presiding Officer

In

INDUSTRIAL DISPUTE No. 116/69

Between

THE KERALA ELECTRICAL AND ALLIED ENGINEERING CO. LTD., KUNDARA.

And

THE WORKMAN

OF THE ABOVE CONCERN SHRI P. BHASKARAN NAIR, AYIROOR VADAKKATHIL VEETTIL PUTHEN VEEDU, CHONANCHIRACHERRY, PERINAD P. O., QUILON DISTRICT.

Representations:

Shri N. Palpu,
Advocate,
Quilon
} For *the Management*

Shri M. Rajagopalan Nair,
Advocate,
Quilon
} For *the Workman*

AWARD

This is an Industrial Dispute between the Kerala Electrical and Allied Engineering Co., Ltd., Kundara and the workman of the above concern Shri P. Bhaskaran Nair, Ayiroor Vadakkethil Veettil Puthen Veedu, Chonmanchiracherry, Perinad P. O., Quilon District over the dismissal of Shri Bhaskaran Nair who was working as a watcher in the above mentioned concern referred to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) by the Government of Kerala, in their Order, Labour and Social Welfare (H) Department, G. O. Rt. No. 1746/69/LSWD, Trivandrum, dated 22-8-1969.

2. In pursuance of notice issued, the parties entered appearance and put in their respective statements.

3. The case of Shri Bhaskaran Nair is that he was illegally dismissed from service after conducting an enquiry and that the enquiry was not proper.

4. The case of the management is that the charge framed against him regarding the negligence to protect the property of the company entrusted to him and thereby causing loss to the company to an extent of Rs. 975 was proved in a proper enquiry conducted against him, and that was why he was dismissed from service and as such, he is not entitled for any relief.

5. On 6-6-1972 when the case was taken up, the worker Shri P. Bhaskaran Nair submitted in writing that he is not pressing his claim and as such, he does not want to further proceed with this dispute. He has also stated that he has received Rs. 300 from the management as gratis. Therefore, from the statement filed by him, it is seen that he is no longer pressing this dispute as the matter has been settled out of Court between the parties. This industrial dispute therefore abates. An award is passed accordingly.

This award will come into force on the expiry of 30 days after its publication in the Government Gazette.

A. T. KUNHIKORA,
Presiding Officer.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. Rt. No. 388/73/LBR. *Dated, Trivandrum, 30th March* 1973.

The award of the Labour Court, Quilon in respect of the dispute between the Management of Parvathy Mills Ltd., Quilon and their workmen represented by the Parvathy Mills Staff Association, Quilon received by Government on 8-2-1973 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. P. MATHULLA,
Under Secretary.

In the Labour Court (Kerala State), Quilon

Dated this the 27th day of January, 1973

Present:

SHRI A. T. KUNHIKORA, B.A., B.L.,
Presiding Officer

In

INDUSTRIAL DISPUTE No. 137/69

Between

The Management of Parvathy Mills Limited, Quilon

And

The workmen of the above concern represented by the Parvathy Mills Staff Association, Quilon

Representations:

Shri G. Sadasivan Nair, Advocate, Quilon. } For *the Management*

Shri N. Raman Pillai, Advocate, Quilon. } For *the Association*

AWARD

This is an Industrial Dispute between the Management of Parvathi Mills Ltd., Quilon and the workmen of the above concern represented by the Parvathi Mills Staff Association, Quilon over the dismissal of Shri Pushparajan who was an employee in the above mentioned concern referred to this

Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) by the Government of Kerala, in their Order, Labour & Social Welfare (H) Department, G. O. Rt. No. 1939/69/ LSWD, Trivandrum, dated 9-10-1969.

2. In pursuance of notice issued, the parties entered appearance and put in their respective statements. Subsequently, the parties settled the matter out of Court and filed a memorandum of settlement shown as annexure to this award and requested that an award may be passed in terms of the settlement. On a perusal of the terms of the settlement, it is seen that the terms of the settlement are justifiable. Hence as requested by the parties, an award is passed in terms of the settlement shown as annexure to this award.

This award will come into force on the expiry of 30 days after its publication in the Government Gazette.

A. T. Kunhikora,
Presiding Officer.

Annexure

Before the Labour Court, Quilon

INDUSTRIAL DISPUTE No. 137 of 1969.

Between

Parvathi Mills Ltd., Quilon

Vs

Workmen of the above concern represented by the Parvathi Mills Staff Association, Quilon

Joint petition filed by the Management of Parvathi Mills Ltd., Quilon and the Parvathi Mills Staff Association.

1. The above dispute has been settled out of court as a result of discussions held between the representatives of the Management and the Union on the following:

Terms and Conditions

1. The Management agrees to reinstate Shri K. Pushparajan as Weaving Clerk with effect from 9-10-1972 without break in service.
2. Shri K. Pushparajan will have no claim for any back wages or other benefits for the period 25-11-1968 (the date of his termination of service) to the date of bis rejoining service in the Mills.
3. He will be fitted in the scale of pay applicable for grade II staff category prevailing as on the date of his rejoining the Mill viz., Rs. 75-301 and he will be given a start of Rs. 99 (Rs. Ninety nine only).
4. The parties agree that the above is in full and final settlement of the dispute and that no other relief is sought for in this case.
5. The parties agree to bear their respective costs.

The parties pray that this Hon'ble Court be pleased to pass an award in the above terms:

Dated this, the Ninth day of October, 1972.

(Sd.)

Representing the Employer : 1. Shri A. L. Antony,
General Manager,
Parvathi Mills Ltd.,
Quilon.

(Sd.)

2. Shri G. Raman Pillai,
Chief Accounts Officer,
Parvathi Mills Ltd.,
Quilon

(Sd.)
G. Sadasivan Nair,
Advocate.

(Sd.)

Representing the Workmen : 1. Shri J. Chitharanjan,
President,
Parvathi Mills Staff Association,
Quilon

(Sd.)

2. Shri O. Sankaranarayana Pillai,
General Secretary,
Parvathi Mills Staff Association,
Quilon

(Sd.)
N. Raman Pillai,
Advocate.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. Rt. No. 400/73/LBR. *Dated, Trivandrum, 2nd April 1973.*

The award of the Industrial Tribunal, Alleppey in respect of the dispute between the Management of M/s. Quilon Cashew Processing Co., Private Ltd., Quilon and their workmen represented by the Kerala Kasuandi Thozhilali Kendra Council, Quilon received by Government on 29-3-1973 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. P. MATHULLA,
Under Secretary.

In the Court of the Industrial Tribunal, Alleppey

Dated this the 23rd day of March, Nineteen hundred and Seventy-three.

Present

SHRI K. P. M. SHERIFF, B. SC., B. L.,
Industrial Tribunal,

INDUSTRIAL DISPUTE No. 11 OF 1971.

Between

M/s. QUILON CASHEW PROCESSING CO.,
PRIVATE LTD., QUILON.

And

THEIR WORKMEN
REPRESENTED BY THE KERALA KASUANDI THOZHILALI KENDRA COUNCIL, QUILON

Representation:

Shri M. R. Thankappan, Advocate, Quilon. — For *Management.*

Shri K. C. Mohanan, General Secretary, K. K. T. K. Council — For *Union.*

AWARD

This industrial dispute between the above parties was referred to this Tribunal for adjudication by Government as per G. O. Rt. No. 33/71/LSWD. dated 12-1-1971. The issue referred for adjudication is as follows :—

"Wages for the period of temporary closure of the following Cashew Factories for varying periods from November, 1969, Mukhathala, Karimpinpuzha, Nallila, Chenkulam, Chirakkara, Pooyappally, Panaveli, Ezhukone, Thettikuzhi, Ayoor, Eruva and Umayanallur."

2. Pursuant to summons the parties appeared and the Union submitted their claim statement in which they have contended as under :—

"The factories belonging to the opposite party as listed in the order of reference were remaining temporarily closed for more than four months effective from November 1969 due to no fault on the part of the workers and the staff. There is absolutely no justification for keeping the factories so closed and rendering the workmen and staff unemployed for the period indicated above. The workers are therefore entitled to full wages for all the number of working days so lost."

The Union concluded with a prayer that an award may be passed upholding their contentions.

3. The Management submitted their reply statement in which they have contended as follows :—

"The statement of the Union regarding temporary closure for four months of all the factories concerned is false and so denied. The processing and manufacturing of cashew is a seasonal business as declared by the Government and usually the factories will be stopping the process and manufacture every year by the middle of November and restart after three months, i. e., by the middle of next February. As usual the factories were closed for the non-seasonal period, i. e., from November 1969 to February 1970. The workmen and the staff are not entitled to claim any wages for the period of seasonal closure since the claim is illegal and cannot be sustained. The Management is absolutely justified in keeping the factories closed for the non-seasonal period and so the Management is not liable to pay any wages or other benefits to the workmen and the staff for the non-seasonal closure period."

The Management concluded with a prayer that an award may be passed dismissing the claims of the workmen.

4. Since no replication was filed, the case was posted for evidence and after a good number of adjournments obtained by both the parties, the parties submitted that the matter was compromised out of court and the Secretary of the Union filed a memo, to [illegible] effect, that since the dispute is settled between the Management and [illegible] nion out of court, the Union is not pressing the dispute.

5. Since there is no subsisting dispute between the parties, I hereby dismiss the reference.

Alleppey,
23-3-1973.

K. P. M. Sheriff,
Industrial Tribunal.

GOVERNMENT OF KERALA

Abstract

P. W. D. AND P. H. E. D.—N. M. R. WORKERS—
PENSION RULES—ISSUED

PUBLIC WORKS (ESTABLISHMENT B) DEPARTMENT

G. O. (P) 66/PW. **Dated, Trivandrum, 29th March 1973.**

Read again.—1. G. O. (P) 189/69/PW dated 25-11-1969.

2. Letter No. 15459/CPFN/71 dated 22-7-1971 from the Chief Engineer, General and B & R.

3. Letter No. PR1-General 6-84/C/72-73/267 dated 30-8-1972 from the Accountant General, Kerala.

ORDER

In the G. O. read as 1st paper above Government have issued orders extending to the N. M. R. workers of the Public Works Department and Public Health Engineering Department the benefits of pension and gratuity as in the case of regular Government employees with effect from 1-7-1969. The Chief Engineer, General and Buildings and Roads in his letter read as second paper above has forwarded a set of draft rules for grant of pension and gratuity to the N. M. R. workers.

2. Government have examined the draft rules in consultation with the Accountant General and are pleased to issue the "Pension (Gratuity) Rules of N. M. R. workers of the Public Works Department and Public Health Engineering Department" appended to this G. O.

*** *** ***

By order of the Governor,
V. DAMODARA MENON,
Joint Secretary.

To

The Chief Engineer, General and Projects/Chief Engineer, Irrigation Chief Engineer, National Highway / Chief Engineer, Buildings and Roads.

The Chief Engineer, Public Health Engineering Department.

The Accountant General (The rules are issued with the concurrence of Finance Department)—2 copies.

The Finance Department vide their U. O. No. 5230/Ind & PW/ Bl/Fin dated 16-11-1972.

Local Administration and Social Welfare Department.

All N. M. R. Unions.

Appendix

Pension (Gratuity) Rules of N. M. R. Workers of the Public Works Department & Public Health Engineering Department

1. These rules may be called the "Pension (Gratuity) Rules of the Nominal Muster Roll Workers of the Public Works Department and Public Health Engineering Department".

2. They shall be deemed to have come into force on 1st July, 1969.

3. They shall be applicable to all Nominal Muster Roll Workers in the Public Works Department and Public Health Engineering Department in service on 1st July, 1969, but not to those who have completed the age of 58 on that date.

Note.—The N. M. R. employees who were past the age of 58 years at time of issue of orders introducing the pension scheme (as per G. O. (P) 189/69/PW dated 25-11-1969) and who were allowed to retire with effect from 1-12-1969 will also be eligible for the pensionary benefits under these rules.

4. The age of compulsory retirement of the Nominal Muster Roll Worker shall be 55. The date of compulsory retirement of those appointed to Nominal Muster Roll prior to 7-4-1970 shall, however, be the date on which they attain the age of 58 years.

5. Except as specifically provided otherwise under these rules, the rules in the Kerala Service Rules (Part I I-Pension) (as amended from time to time) applicable to regular Government employees in regard to *Invalid Pension, Superannuation Pension. Retiring Pension, Gratuity* and *Commutation of pension*, shall generally apply *mutatis mutandis* to the Nominal Muster Roll Workers.

6. For the purpose of these rules unless there is anything repugnant to the context :—

(a) "Worker" means any person employed on Nominal Muster Rolls on a monthly time-scale of wages and includes Nominal Muster Roll Worker who was paid daily-rated wages before 1-10-1967.

Note.—Worker in the Dry Dock Workshop Section under the Mechanical Sub Division in the Public Works Department, Alleppey who

was employed on daily wages prior to 1-6-1968 will be considered as a Nominal Muster Roll Worker for the purposes of these rules

(b) "Emoluments" means the basic monthly wages which the worker was receiving immediately before his retirement and does not include dearness allowance and other allowances.

(c) "Average Emoluments" means the average calculated upon the last twelve months of qualifying service.

(d) "Qualifying Service" will include :—

(i) All service under the Nominal Muster Roll, and

(ii) Period spent on leave of all kinds with or without wages unless otherwise specified.

The following period of service will not count towards qualifying service

(1) Service prior to attaining the age of eighteen.

(2) Service prior to resignation or dismissal or removal from the nominal muster roll.

(3) Unauthorised absence, and period out of employment consequent on termination of service due to retrenchment.

(4) Interruptions in the service on account of participation in a strike not regularised by leave eligible for and

(5) Period under suspension unless otherwise specified.

Note.—Refusal to do work, though physically present at the place of duty by resorting to stay in strike or other methods will be treated as interruption within the meaning of this clause.

(e) "Pension" when not used in contradistinction to "gratuity" and "death-cum-retirement gratuity" includes them also.

SECTION I

PENSION (GRATUITY)

7. Pension (Gratuity) shall be payable to the workers on termination of service on account of :—

(i) Superannuation
(ii) Retirement (Compulsory or voluntary)
(iii) Retrenchment
(iv) Disablement due to accident or disease.

Note.—Application for pension and gratuity shall be in Form 2.

8. A worker who has completed ten years/five years of qualifying service shall be eligible for pension/gratuity respectively.

9. The quantum of pension/gratuity shall be determined with reference to the length of qualifying service and scale of gratuity or pension set forth in the table below :—

Completed years of qualifying service	*Scale of Gratuity or pension.*
	A. GRATUITY
1	1 month's emoluments
2	2 ,, do.
3	3 ,, do.
4	4 ,, do.
5	5 ,, do.
6	6 ,, do.
7	7 ,, do.
8	8 ,, do.
9	9 ,, do.
	B. PENSION
10	10/80th of average emoluments
11	11/80th do.
12	12/80th do.
13	13/80th do.
14	14/80th do.
15	15/80th do.
16	16/80th do.
17	17/80th do.
18	18/80th do.
19	19/80th do.
20	20/80th do.
21	21/80th do.
22	22/80th do.
23	23/80th do.
24	24/80th do.
25	25/80th do.
26	26/80th do.
27	27/80th do.
28	28/80th do.
29	29/80th do.
30	30/80th do.

Fraction of year, if any, in the qualifying service will be rounded to the nearest completed year i. e., fractions less than half year will be ignored and half year and above rounded to the next completed year:

Provided that for purposes of minimum service and maximum service for pension, fraction of a year, if any, in the qualifying service will be rounded to the next completed year.

10. Pension/gratuity shall be fixed in whole rupees, fraction, if any, in the calculation of pension/gratuity being rounded off to the next higher rupee.

Section II

DEATH-CUM-RETIREMENT GRATUITY

11. The rules regarding death-cum-retirement gratuity in Sections IV and V of Chapter V of Part III, Kerala Service Rules shall *mutatis mutandis* apply generally to Nominal Muster Roll Workers.

12. A worker who has completed five years of qualifying service may be granted an additional gratuity not exceeding the amount specified in rule 13 below when he retires from service, and is eligible for a gratuity or pension under section I of these rules.

13. The amount of death-cum-retirement gratuity will be one half of the emoluments of a worker for each completed year of qualifying service subject to a maximum of fifteen times the "emoluments". In the case of invalid pension or in the event of death of a worker while in service the death-cum-retirement gratuity will be subject to a minimum of 12 times the 'Emoluments' last drawn by the worker.

14. The 'Emoluments' for purposes of these rules will be as defined in Rule 6, provided that if the emoluments of a worker have been reduced during the last 12 months of service otherwise than as penalty, 'average emoluments' as defined therein may at the discretion of the authority which has power to sanction the Death-cum-retirement gratuity be treated as the 'emoluments'.

15. In the event of death of a worker (while in service or after retirement) before receiving pension and/or gratuity his family shall be entitled to receive it.

'Family' for the purposes of these rules in Sections I and II will include the following relatives of the officer.

(a) Wife, in the case of a male member
(b) Husband, in the case of a female member
(c) Sons
(d) Unmarried and widowed daughters
(e) Father
(f) Mother

Items (c) (d) above will include step children.

16. A worker governed by these rules shall on completion of five years of service nominate any one or more members of his family as defined in rule 15 to whom the right to receive the gratuity shall pass, in the event of his/her death while in service or after retirement but before receiving payment. The nomination shall be executed in Form 3.

Section III

FAMILY PENSION

17. The Liberalised Family Pension Rules (Part III, Kerala Service Rules) shall generally apply *mutatis mutandis* to Nominal Muster Roll Workers in regard to Family Pension.

18. "Family Pension" will be admissible in the case of death of a worker while in service or after retirement, if:—

(a) in the case of death while in service, the worker has completed a minimum period of 1 year's *continuous* service at the time of death and

(b) in the case of death after retirement, the retired worker was in receipt of invalid, superannuation or retiring pension or pension granted on compulsory retirement by way of penalty at the time of death.

19. Family Pension will be admissible

(a) Up to the date of death or remarriage of the widow/widower.
(b) to the minor sons until attaining the age of 18 years
(c) to unmarried daughters until attaining the age of 21 years or marriage whichever is earlier and

(d) to Father/Mother if they were solely dependent on the deceased worker for maintenance.

(e) Only to a member of the family at a time in the order of priority in Rule 22 below.

20. The rate of family pension will be as follows:—

Wages at the time of death or retirement	*Monthly Pension of widow/widower/children etc.*
Rs. 200 and above but below Rs. 800	15% of wages subject to a maximum of Rs. 96 and a minimum of Rs. 60.
Below Rs. 200	30% of the wages subject to a minimum of Rs. 25 from 1-7-1969 to 30-9-1971 and Rs. 40 from 1-10-1971.

Provided that where the monthly family pension admissible under this rule exceeds the service pension sanctioned to a retired worker the monthly family pension shall be limited to the amount of such service pension.

21. Every worker eligible for the benefit of famliy pension will be required to surrender a portion of Death-Cum-Retirement gratuity, where admissible, equal to his two months' wages. In case where the gratuity admissible is less than 2 months' wages it will be resumed by Government against the family pension benefits admissible.

22. Family for the purpose of this section will be:—

(1) Wife, in the case of male employee
(2) Husband, in the case of female employee
(3) Minor sons

(4) Unmarried minor daughters
(5) Father and
(6) Mother

Note:—Items 3 and 4 will include children legally adopted before retirement.

SECTION IV

EXTRAORDINARY PENSION

23. The Extraordinary pension rules in Part III, Kerala Service Rules shall *mutatis mutandis* apply to those Nominal Muster Roll Workers to whom the Workmen's Compensation Act, 1923 does not apply.

SECTION V

RECORD OF SERVICE

24. A service book in Form 1 shall be maintained in respect of the service of Nominal Muster Roll Worker. The entries in the Service Book will be made and attested by Junior Engineers. The Assistant Engineers concerned will make annual inspections and record the certificate of verification in the Service Book as follows:—

"Verified with the Muster Rolls on record and found correct".

PROCEDURE RELATING TO PAYMENT

25. Executive Engineer shall be the authority competent to sanction pension/gratuity.

The pension and gratuity papers shall be prepared by the Junior Engineer under whom the worker was last working and he will forward it to the Assistant Engineer who will countersign and forward it to the Executive Engineer. The Executive Engineer shall scrutinise and forward it to the Accountant General after according advance sanction for the payment of pension/gratuity. Authorisation for payment shall be issued by the Accountant General for the amount admissible under the rules based on the advance sanction issued by the Executive Engineer.

26. Government contribution to Contributory Provident Fund, if any, already received by a worker shall be surrendered to make him eligible for pension. The fact of refund shall be recorded in the Service Book of the Worker under the attestation of the pension sanctioning authority.

FORMS

1. Service Book
2. Application for pension/gratuity to N. M. R. worker
3. Nomination for Gratuity

FORM 1

(Vide Rule 24)

SERVICE BOOK OF N. M. R. WORKERS

PART I

1. Name in full of the employee
2. Qualifications

   General

   Special

3. Class or Race and Religion
4. Residence
5. Father's or Uncle's or Guardian's name and Residence
6. Date of Birth (in Christian Era)

   Verified with and found correct

7. Marks of identification

   1.

   2.

   Thumb & finger impressions

8. Exact height by measurement
9. Signature of the employee
10. Signature and Designation of the attesting Officer.

G. 578.

PART II

Name of appointment and station	Date of commencement of appointment A. N. or F. N.	Rate of wages	Signature of the Sub-Dn. Officer or other attesting Officer	Date of termination of appointment F. N. or A. N.	Reason for the termination	Signature of the S. D. O. or attesting officer	Signature of the worker	Details of leave with wages: No. of days worked From To	Details of leave with wages: Leave with wages earned	Leave at credit	Leave with wages availed From To	Balance at credit	Details of absence without wage From To Period	Remarks

FORM 2

(vide Note under Rule 7)

Application for pension or gratuity to the retired N. M. R. Workers of the Public Works Department/Public Health Engineering Department

1. Name (in full) of the applicant
2. Father's name (and also husband's name in the case of married woman worker)
3. Religion and Nationality
4. Permanent residential address showing village/town, taluk and District
5. Section to which attached at the time of retirement
6. Date of beginning of service
7. Date of ending of service
8. Date of birth
9. Length of qualifying service of 10 years/5 years or more as per details on the reverse — Y. M. D.
10. Average monthly wages
11. Monthly wages drawn at the time of retirement
12. Proposed pension
13. Proposed gratuity
14. Amount of pension/gratuity admissible to the family of the worker in the event of his death while in service or after retirement before receiving payment
15. Date from which payment of pension is to commence
16. Place of payment (District Treasury or Sub Treasury)
17. Liabilities if any
18. Height
19. Personal marks of identification
20. Thumb and finger impressions

Thumb	*Fore finger*	*Middle finger*	*Ring finger*	*Little finger*

Note:—Persons who are literate need only put their signature in English, Hindi or the official regional language and need not affix their thumb and finger impressions.

21. Date on which the applicant applied for pension

Signature of Head of Office/
Department

HISTORY OF SERVICE SHOWING INTERRUPTIONS

Date of appointment	Date of beginning of service	Date of ending of service	Period worked	Period reckoned as qualifying service	Period not reckoned as service	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Remarks of the Head of the Office

1. As to character and conduct of the worker.
2. Reason for retirement or discharge from service.

Certificate by the Head of the Office

3. Certified that the rate of monthly wages reckoned for the calculation of Pension and/ or gratuity are those actually paid to the worker.

4. Certified that the service details prior to the date of maintaining service books were written up with reference to vouchers, acquittance rolls, etc. and in case where such details were not available, entries were made based on contemporary evidence certified by the Executive Engineer as reliable.

Junior Engineer

Assistant Engineer

Executive Engineer

Signature of the
Head of the Office

DECLARATION BY THE WORKER

I declare that I am not in receipt of pension and/or gratuity for the service claimed and I am prepared to refund excess pension and/or gratuity if any paid, if called upon to do so.

Place..............

Date............... Signature

DECLARATION OF THE HEIR/NOMINEE OF THE WORKER IN CASE THE WORKER IS DECEASED

I declare that neither the worker (name)........................nor I am in receipt of pension and/or gratuity for the service claimed and I am prepared to refund excess pension and/or gratuity if any paid if called upon to do so.

Place..............

Date............... Signature.

ORDERS OF THE SANCTIONING AUTHORITY

The undersigned having satisfied himself / herself that the service of Sri/Smt./Kumari..........................has been thoroughly satisfactory, hereby orders the grant of full pension and/or gratuity which may be accepted by the Accountant General as admissible under rules. The grant of this pension and/or gratuity shall commence from................

A sum of Rs......................on account of..........is to be held over from the gratuity till the outstanding dues are assessed and adjusted.

OR

The undersigned having satisfied himself/herself that the services of Sri/Smt/Kumari..............................has not been thoroughly satisfactory hereby orders that the full pension and/or gratuity which may be accepted by the Accountant General as admissible under rules shall be reduced by the specified amount or percentage indicated below.

Amount of percentage of reduction in pension

Do. in gratuity

The grant of this pension and/or gratuity shall take effect from........

A sum of Rs.............on account of...............is to be held over from the gratuity till the outstanding dues are assessed and adjusted.

The pension and / or gratuity is payable at....................

കേരള ഗവൺമെന്റ്

ലാ ഡിപ്പാർട്ടുമെന്റ്

പരസ്യം

നമ്പർ 5589/എഫ്2/71/ലാ.

തിരുവനന്തപുരം, 1973 ഫെബ്രുവരി 27 /
1894 ഫാൽഗുനം 8.

കേരള സംസ്ഥാന നിയമസഭയുടെ താഴെപ്പറയുന്ന ആക്റ്റ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു. നിയമസഭ പാസാക്കിയ പ്രകാരമുള്ള ബില്ലിന് 1973 ഫെബ്രുവരി 9-ാം തീയതി പ്രസിഡന്റിന്റെ അനുമതി ലഭിക്കുകയുണ്ടായി.

ഗവർണ്ണരുടെ ഉത്തരവു പ്രകാരം,
പി. ഡി. രാമചന്ദ്രൻ,
അഡീഷണൽ ലാ സെക്രട്ടറി.

1973-ലെ 2-ാം ആക്റ്റ്

1972-ലെ കേരള കെട്ടിട (പാട്ടം-വാടക നിയന്ത്രണ) ഭേദഗതി ആക്റ്റ്.

1965-ലെ കേരള കെട്ടിട (പാട്ടം-വാടക നിയന്ത്രണ) ആക്റ്റ് വീണ്ടും ഭേദഗതി ചെയ്യുവാനുള്ള ഒരു ആക്റ്റ്.

പീഠിക:—1965-ലെ കേരള കെട്ടിട (പാട്ടം-വാടക നിയന്ത്രണ) ആക്റ്റ് (1965-ലെ 2) താഴെ കാണുന്ന ആവശ്യങ്ങൾക്കായി വീണ്ടും ഭേദഗതി ചെയ്യുന്നത് യുക്തമായിരിക്കയാൽ;

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ ഇരുപത്തിമൂന്നാമത് സംവത്സരത്തിൽ താഴെ പറയും പ്രകാരം നിയമമുണ്ടാക്കിയിരിക്കുന്നു.

1. ചുരുക്കപ്പേര്.— (i) ഈ ആക്റ്റിന് 1972-ലെ കേരള കെട്ടിട(പാട്ടം-വാടക നിയന്ത്രണ) ഭേദഗതി ആക്റ്റ് എന്ന് പേർ പറയാം.

(2) ഇത് ഉടൻ പ്രാബല്യത്തിൽ വരുന്നതാണ്.

2. 11-ാം വകുപ്പിന്റെ ഭേദഗതി.—1965-ലെ കേരള കെട്ടിട (പാട്ടം-വാടക നിയന്ത്രണ) ആക്റ്റ് (1965-ലെ 2) (ഇതിനുശേഷം പ്രധാന ആക്റ്റ് എന്നാണ് പറയപ്പെടുക) 11-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പ് (i)-ാം ഖണ്ഡത്തിലെ വിശദീകരണത്തിനുമുൻപ് താഴെപ്പറയുന്ന ക്ലിപ്തനിബന്ധന ചേർക്കേണ്ടതാണ്, അതായത്:—

എന്നാൽ, വാടകച്ചാർത്തിലെ മേൽപറഞ്ഞ വ്യവസ്ഥയുടെ ലംഘനം അറിയിച്ചുകൊണ്ട് കെട്ടിട ഉടമസ്ഥൻ രജിസ്റ്റർ ചെയ്ത ഒരു നോട്ടീസ് ആ വാടകക്കാരന് അയയ്ക്കുകയും, വാടകക്കാരൻ, അതതു സംഗതിപോലെ, ആ നോട്ടീസ് കൈപ്പറ്റുകയോ, നിരസിക്കുകയോ ചെയ്ത് മുപ്പതു ദിവസത്തിനകം, കൈമാറ്റം ചെയ്യലോ അഥവാ കീഴ്‌വാടകയ്ക്ക് കൊടുക്കലോ അവസാനിപ്പിക്കുവാൻ വീഴ്ച വരുത്തുകയും ചെയ്തിട്ടില്ലെങ്കിൽ, ഈ ഖണ്ഡപ്രകാരമുള്ള ഒരപേക്ഷ, ഒരേ വാടകയ്ക്ക് കൊടുക്കലിനെ സംബന്ധിച്ച് ആദ്യത്തെ പ്രാവശ്യം സമർപ്പിക്കാൻ പാടുള്ളതല്ല.

3. 13-ാം വകുപ്പിന്റെ ഭേദഗതി:—പ്രധാന ആക്റ്റ് 13-ാം വകുപ്പിൽ, (5)-ാം ഉപവകുപ്പിന്ശേഷം, താഴെപ്പറയുന്ന ഉപവകുപ്പ് ചേർക്കേണ്ടതാണ്, അതായത്:—

"(6) (എ) ഈ വകുപ്പുപ്രകാരം, അക്കോമഡേഷൻ കൺട്രോളർ പാസ്സാക്കിയ ഒരുത്തരവുമൂലം സങ്കടമനുഭവിക്കുന്ന ഒരു വാടകക്കാരനോ അഥവാ കെട്ടിടമുടമസ്ഥനോ അങ്ങനെയുള്ള ഉത്തരവ് ലഭിച്ച തീയതി മുതൽ മുപ്പതു ദിവസത്തിനകം, ഏതു ഡിസ്ട്രിക്റ്റ് കളക്ടരുടെ അധികാരാതിർത്തിക്കുള്ളിൽ സ്ഥിതിചെയ്യുന്ന കെട്ടിടം സംബന്ധിച്ച് പാസ്സാക്കിയ ഉത്തരവിനെതിരായിട്ടാണ് അപ്പീൽ ബോധിപ്പിക്കുന്നത്, ആ ഡിസ്ട്രിക്റ്റ് കളക്ടർക്ക് രേഖാമൂലമായി അപ്പീൽ ബോധിപ്പിക്കാവുന്നതും, അദ്ദേഹം തനിക്ക് യുക്തമെന്ന് തോന്നുന്ന ഉത്തരവുകൾ അപ്പീലിൻമേൽ പാസ്സാക്കേണ്ടതുമാണ്.

(ബി) ഈ ഉപവകുപ്പുപ്രകാരം അപ്പീൽ തീർപ്പാക്കുന്നതിനുവേണ്ടി, 23-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് (എ) മുതൽ (കെ) വരെയുള്ള ഖണ്ഡങ്ങളിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ള കാര്യങ്ങൾ സംബന്ധിച്ച് ഒരു കേസ് വിചാരണ ചെയ്യുമ്പോൾ, 1908-ലെ സിവിൽ നടപടിനിയമ (1908-ലെ 5) പ്രകാരം ഒരു സിവിൽ കോടതിയിൽ നിക്ഷിപ്തമായിട്ടുള്ള അധികാരങ്ങൾ, ഡിസ്ട്രിക്റ്റ് കളക്ടർക്ക് ഉണ്ടായിരിക്കുന്നതാണ്.

(A true translation)

(Sd.)

Additional Head Translator.

GOVERNMENT OF KERALA

Industries (E) Department

NOTIFICATION

G. O. (MS) 140/73/ID. *Dated, Trivandrum, 5th April* 1973.

S. R. O. No. 270/73.—In exercise of the powers conferred by sub-section (1) of section 10 of the Kerala Money Lenders Act 1958 (Act, 35 of 1958) and in supersession of the previous notification of the Government of Kerala issued under G. O. (MS) 195/65/ID dated 12-4-1965 and published in S. R. O. No. 174/65 in Part I of the Kerala Gazette No. 17 dated 4th May 1965, as subsequently amended, the Government of Kerala hereby appoint the Sales-tax Officers and the Assistant Commissioners (Assessment) special Circles, of the Agricultural Income-tax and Sales-tax Department specified in the Second column of schedule annexed hereto as Inspectors for the purposes of the said Act to exercise the powers of an Inspector within the local limits specified in the third column of the said schedule.

SCHEDULE

Sl. No.	*Name of Officer*	*Jurisdiction*
(1)	(2)	(3)
1	Sales-tax Officer, Neyyattinkara	Within the limits of Neyyattinkara Municipality.
2	Sales-tax Officer, Attingal	Within the limits of Attingal Municipality.
3	Sales-tax Officer, Kayamkulam	Within the limits of Kayamkulam Municipality.
4	Sales-tax Officer, Sherthallai	Within the limits of Sherthallai Municipality.
5	Sales-tax Officer, Mavelikara	Within the limits of Mâvelikara Municipality.
6	Sales-tax Officer, Thiruvalla	Withiu the limits of Thiruvalla Municipality.
7	Sales-tax Officer, Changanacherry	Within the limits of Changanacherry Municipality.
8	Sales-tax Officer, Palai	Within the limits of Palai Municipality.
9	Sales-tax Officer, Vaikom	Within the limits of Vaikom Municipality.
10	Sales-tax Officer, Muvattupuzha	Within the limits of Muvattupuzha Municipality.

(1)	(2)	(3)
11	Sales-tax Officer, Perumbavoor	Within the limits of Perumbavoor Municipality.
12	Sales-tax Officer, Alwaye	Within the limits of Alwaye Municipality.
13	Sales-tax Officer, Parur	Within the limits of Parur Municipality.
14	Sales-tax Officer, Irinjalakuda	Within the limits of Irinjalakuda Municipality.
15	Sales-tax Officer, Waddakkancherry	Within the limits of Kunnamkulam Municipality.
16	Sales-tax Officer, Chowghat	Within the limits of Guruvayoor Township.
17	Sales-tax Officer, Perinthalmanna	Within the limits of Attappadi Panchayat.
18	Sales-tax Officer, Chittur	Within the limits of Chittur Thathamangalam Municipality.
19	Sales-tax Officer, Badagara	Within the limits of Badagara Municipality.
20	Sales-tax Officer, Tellicherry	Within the limits of Tellicherry Municipality.
21	Sales-tax Officer, Punaloor	Within the limits of Punaloor Municipality.
22	Sales-tax Officer, Tirur	Within the limits of Tirur Municipality.
23	Sales-tax Officer, Chalakudy	Within the limits of Chalakudy Municipality.
24	Sales-tax Officer, Manjeri	Within the limits of Malappuram Municipality.
25	Assistant Commissioner (Assessment), Special Circle, Trivandrum	Within the limits of Trivandrum Corporation
26	Assistant Commissioner (Assessment), Special Circle, Quilon	Within the limits of Quilon Municipality.
27	Assistant Commissioner (Assessment), Special Circle, Alleppey	Within the limits of Alleppey Municipality.
28	Assistant Commissioner, (Assessment), Special Circle, Kottayam	Within the limits of Kottayam Municipality.
29	Assistant Commissioner, (Assessment), Special Circle, Ernakulam	Within the limits of Cochin Corporation.

(1)	(2)	(3)
30	Assistant Commissioner (Assessment), Special Circle, Trichur	Within the limits of Trichur Municipality.
31	Assistant Commissioner, (Assessment), Special Circle I, Palghat	Within the limits of Palghat, Municipality.
32	Assistant Commissioner (Assessment), Special Circle I, Kozhikode	Within the limits of Calicut Corporation.
33	Assistant Commissioner, (Assessment), Special Circle, Cannanore	Within the limits of Cannanore Municipality.

By order of the Governor,

K. NARAYANAN,

Secretary.

Explanatory Note

As per Government Notifications issued under S. R. O. No. 174/65 dated 12-4-1965 and 381/70 dated 13-10-1970 the Sales tax Officers of the Agricultural Income Tax and Sales tax Department have been appointed as Inspectors under the Kerala Money Lenders Act 1958. But the posts of Sales tax Officer, Special Circles had been upgraded to that of Assistant Commissioners and as such some difficulties are experienced in proper administration of the Act. Now the administration of the Act within the Cochin Corporation limits is done by the two Assistant Commissioners without having specific area of jurisdiction. Hence the Assistant Commissioner (Assessment), Special Circle, Ernakulam had been appointed as Inspector under Kerala Money Lenders Act within the limits of Cochin Corporation. The Punaloor and Tirur have also been included in the Notification as the above Panchayats have been upgraded as Municipalities by the Government. The above said reasons necessitated the issue of a fresh Notification in the matter.

GOVERNMENT OF KERALA

Local Administration & Social Welfare (Municipal & Panchayat Special) Department

NOTIFICATION

G. O. (MS). 61/73/LA & SWD. *Dated, Trivandrum, 5th February 1973.*

S. R. O. No. 271/73.—In exercise of the powers conferred by clauses (d) and (e) of sub-section (2) of Section 367 of the Kerala Municipal Corporations Act, 1961 (30 of 1961), the Government of Kerala, hereby make the following amendments to the Kerala Municipal Corporations Accounts Rules, 1967, issued under G. O. Ms, 335/67/DD dated the 23rd October, 1967 and Published as S. R. O. No. 342/67 in Part I of the Kerala Gazette No. 45 dated the 14th November, 1967, the same having been previously Published as required by section 368 of the said Act, namely:—

Amendments

In the said rules,—

(i) Rule 45 together with the note thereunder shall be renumbered as sub-rule (i) of that rule and after sub-rule (i) as so renumbered, the following sub-rule shall be inserted, namely:—

"(ii) Receipts of amounts other than those mentioned in sub-rule (i) shall also be brought to account in Petty Cash Books. The disbursement or adjustment of such amounts with reference to the purpose for which they are received shall be watched by the Heads of Departments Concerned."

(iii) For sub-rule (iv) of rule 55, the following sub-rule shall be substituted, namely:—

(iv) The Register of Advances shall be closed every half year over the signature of the Accounts Officer and the Commissioner and the totals in the register shall be reconciled with the totals under each category of advance. They shall ensure that no advance other than the permanent advance granted to the Officers and advances granted under the Kerala Municipalities and Corporations (Payment of Advances to employees) Rules, 1968 remains unadjusted for more than one month in the ordinary course or for more than three months in special cases. The order sanctioning the advance shall specify the maximum time limit allowed for adjustment of the advance.

Note:—For this purpose the Commissioner shall obtain monthly reports from the Officers to whom advances are sanctioned, wherever necessary, to have a close watch over the utilisation and final

adjustment of the amounts sanctioned. The Commissioner shall be responsible to effect recoveries of all pending advances after a period of three months."

By order of the Governor,

ZACHARIA MATHEW,

Secretary.

Explanatory Note

(This does not form part of the amendment, but is intended to indicate its general purport).

In the course of an enquiry conducted by the X Branch Vigilance Division in the Trivandrum Corporation, it was found that there were several instances where advance drawn by Officers for supplies and services and for execution of works were not immediately utilised for the purposes for which the advances were drawn and that there was delay in refunding the unspent balance. The Director of Vigilance Investigation has pointed out the necessity of maintaining separate cash books by each section having cash transactions and prescribing a reasonably short period for adjustment of advances in order to avoid the recurrence of such irregularities. Maintenance of more than one cash book is not in conformity with rule 36 of the Kerala Municipal Corporations Accounts Rules, 1967. Though the Heads of Departments have to maintain petty cash books to record the transactions relating to the amounts received by them as per rule 45 of the Kerala Municipal Corporations Accounts Rules, 1967, at present there is no specific provision for recording such advances in the petty cash book. It is, therefore, necessary that the advances received by the Heads of Departments or other officers from the Corporation funds for supplies and services and for execution of works and other similar purposes and their disbursement or adjustment shall be brought to account in the petty cash book. Though Rule 55 of the Kerala Municipal Corporations Accounts Rules, 1967 contains provision for ensuring the adjustment of the advances within a period of 6 months, there is no provision to adjust it earlier or in restricting the time limit. It is considered necessary to fix a shorter time limit of one month for adjusting the advances or three months in special cases.

The amendments are intended to achieve the above purpose.

GOVERNMENT OF KERALA

Public Works (Establishment A) Department

NOTIFICATION

G. O.(MS) No. 77/73/PW. *Dated, Trivandrum, 10th April* 1973.

S. R. O. No. 272/73.—In exercise of the powers conferred by sub-section (1) of Section 2 of the Kerala Public Services Act, 1968 (19 of 1968), the Government of Kerala hereby make the following amendment to the Kerala Engineering Service Rules issued in G. O. Ms. No. 150/65/PW dated 17th May, 1965 and as subsequently amended, namely:—

AMENDMENT

In the said rules, in sub rule (c) of rule 4 for the word 'three' the words "5% of the" shall be substituted.

By order of the Governor,
R. GOPALASWAMY,
Special Secretary.

G. 641.

GOVERNMENT OF KERALA

Public Works (Transport-C) Department

NOTIFICATION

No. 9744/TG1/73/PW. *Dated, Trivandrum, 6th April* 1973.

S. R. O. No. 273/73.—In exercise of the powers conferred by rule 4 of the Schedule to the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963 (25 of 1963) and in partial modification of Notification I No. 49087/TB2/71/PW dated 1st June, 1972, published as S.R.O. No. 262/72 in the Kerala Gazette Extraordinary No. 287 dated 1st June, 1972 as modified by Notification I No. 39011/TB2/72/PW dated 29th September, 1972, published as S.R.O. No. 495/72 in the Kerala Gazette Extraordinary No. 538 dated 29th September, 1972, the Government of Kerala, being of opinion that it is necessary in the public interest to do so, hereby order, as a special case, that the date of payment of the 1st instalment of arrears of tax due under the said Act in respect of the stage carriages KLR. 4963, KLR 5906, KLR 3414 and KLR 4589 belonging to the Trichur Motor Thozhilali Co-operative Society Ltd., No. 4046, Trichur-1, shall be extended till 30th April, 1973 and subsequent instalments being payable before the end of subsequent months.

By order of the Governor,
V. DAMODARA MENON,
Joint Secretary.

Explanatory Note

(This is not part of the Notification but is intended to explain the reasons for issue of the Notification).

It has been represented by the Trichur Motor Thozhilali Co-operative Society Ltd. No. 4046, Trichur-1 that they could not remit the 1st and subsequent instalments of arrears of T.P.G. on or before the due dates due to financial strain. They have requested for extension of time. Government have considered the matter and decided as a special case since the stage carriages are operated by Workers' Co-operative Society, to extend the time as notified in the public interest, as otherwise the vehicles will be put out of operation causing much inconvenience to the students and the travelling public.

G 628.

Kerala Gazette No. 18 dated 1st May 1973.
PART I **Section IV**

കേരള ഗവൺമെൻറ്

ടാക്സസ് ഡിപ്പാർട്ടുമെൻറ്

കരടു പരസ്യം*

ജി. ഒ. (എം. എസ്.) നമ്പർ 45/73/ടി. ഡി.

തിരുവനന്തപുരം, 1973 ഏപ്രിൽ 3.

എസ്. ആർ. ഒ. നമ്പർ 248/73.—1963-ലെ കേരള പൊതു വിൽപ്പന നികുതി ആക്ററ് (1963-ലെ 15) 10-ാം വകുപ്പുമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് കേരള ഗവൺമെൻറ്, പൊതുതാൽപ്പര്യാർത്ഥം അപ്രകാരം ചെയ്യേണ്ടത് ആവശ്യമാണെന്നു കരുതുന്നതിനാൽ, ഇൻഡ്യാ ഗവൺമെൻറ് ഇൻഡ്യൻ സ്വാതന്ത്ര്യത്തിൻെറ 25-ാം വാർഷികത്തോടനുബന്ധിച്ചു പുറപ്പെടുവിക്കുന്ന പ്രത്യേക സ്മാരക ബാഡ്ജുകളുടെ വിൽപ്പനയിൻമേൽ നൽകേണ്ടതായ നികുതി സംബന്ധിച്ച് ഇതിനാൽ ഒഴിവുനൽകുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
വി. വെങ്കിടനാരായണൻ,
സെക്രട്ടറി.

വിശദീകരണക്കുറിപ്പ്

(ഇത് പരസ്യത്തിൻെറ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കാൻ ഉദ്ദേശിച്ചുള്ളതാണ്.)

ഇൻഡ്യാ ഗവൺമെൻറിൻെറ ആഭ്യന്തരകാര്യാലയം, ഇൻഡ്യൻ സ്വാതന്ത്ര്യത്തിൻെറ 25-ാമതു വാർഷികം കുറിക്കുവാനായി നല്ല കലാമാതൃകയിലുള്ള സ്മാരക ബാഡ്ജുകൾ ഉണ്ടാക്കണമെന്നും അവ ഉന്നതവ്യക്തികൾക്കു സമ്മാനമായും വിദ്യാർത്ഥികൾക്കും പൊതുജനങ്ങൾക്കും വിൽപ്പനയ്ക്കായും നൽകേണ്ടതാണെന്നും അറിയിച്ചിട്ടുണ്ട്.

മേൽപ്പറഞ്ഞ ബാഡ്ജുകളുടെ വിൽപ്പനയെ വിൽപ്പന നികുതി ഈടാക്കുന്നതിൽനിന്നും ഒഴിവാക്കണമെന്ന് കരുതുന്നു. മുകളിൽ പറഞ്ഞിട്ടുള്ള ഉദ്ദേശം നിറവേററുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ പരസ്യം.

*The English version of this Notification has been published in Kerala Gazette No. 15 dated 10 April 1973.

G. 631.